

In the claims:

1. (currently amended) A method for use by a wireless device in a wireless communications environment, the method comprising the steps of:

associating the wireless device with a current access point;

ascertaining, by the wireless device, whether the wireless device should attempt to associate with an alternative ~~another~~ access point, the ascertaining based at least in-part on a level of attenuation of signal strength ~~strengths~~ of transmissions from the ~~current and~~ alternative access point where the alternative access point transmits at less than full power points, and ~~technology type employed by the current and alternative access points; and~~

requesting association with the alternative access point if it is ascertained that the wireless device should attempt to associate with said alternative access point.

2. (currently amended) The method of claim 1 further comprising the step of:

automatically collecting, by the wireless device, information about the alternative ~~other~~ access point, including an indication of the level of attenuation ~~points~~.

3. (currently amended) The method of claim 2 wherein the step of ascertaining ascertains that the wireless device should attempt to associate with the alternative access point if the alternative access point is closer than the current access point in terms of a biased distance which accounts for AP loading.

4. (previously presented) The method of claim 3 wherein the step of ascertaining ascertains that the alternative access point is closer than the current access point by:

calculating a first biased distance between the wireless device and the current access point based on “x” samples;

calculating a second biased distance between the wireless device and the alternative access point based on “y” samples where “y” is less than “x”; and

ascertaining that the access point is closer than the current access point if the second biased distance is less than the first biased distance.

5. (currently amended) The method of claim 3 wherein the step of requesting association requests association by sending a message to the alternative access point.

6. (previously presented) The method of claim 1 wherein the step of ascertaining ascertains that the wireless device should attempt to associate with the alternative access point based at least in-part on maximum potential signal strength of the alternative access points.